

12-17-01

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12/10/01 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 00-22 Total Pages 74

First Named Inventor or Application Identifier

PAWLIKOWSKI et al.

Title System and Method for Upgrading a Medical Device

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Express Mail Label No. EL740324114US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

2. ☒ Specification [Total Pages 58]
(preferred arrangement set forth below)
-Descriptive Title of the Invention
-Cross References to Related Applications
-Statement Regarding Fed sponsored R & D
-Background of the Invention
-Brief Summary of the Invention
-Brief Description of the Drawings (if filed)
-Detailed Description
-Claim(s)
-Abstract of the Disclosure

3. ☒ Drawing(s) (35 U.S.C. § 113) [Total Sheets 4]

4. ☒ Oath or Declaration [Total Pages 3]
a. ☒ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Boxes 19 and 20 completed)
[Note Box 5 below]

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c. ☐ Unsigned

5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☒ Application Data Sheet per 37 C.F.R. § 1.76
[Total Pages 3]

7. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 U.S.C. § 119(e)/120/365 based on the following provisional, nonprovisional, and/or PCT international application(s):

	Application No.	Filing Date
(1)	60/256,021	December 15, 2000
(2)		

8. ☒ Prior application is assigned to Respiroicis, Inc. by Assignment recorded April 23, 2001 Reel 011747 Frame(s) 0242.

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
(Please return recorded assignment to the undersigned)
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment (to be entered before calculating fees)
14. ☒ Return Receipt Postcard
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Certificate of Mailing by Express Mail
17. ☐ Non-publication Request and Cert. under 35 U.S.C. § 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).
18. ☐ Other: _____

19. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____
Prior application Information: Examiner: _____ Group/ArtUnit: _____

20. Please amend the specification by inserting before the first line of the sentence: This is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____

21. CORRESPONDENCE ADDRESS

Customer No. and Bar Code Label.



30031

PATENT TRADEMARK OFFICE

Name	Michael W. Haas	Reg. No.	35,174
Signature	<i>Michael W. Haas</i>	Date	December 10, 2001

FEE TRANSMITTAL

(Effective 10/01/2001)

Application Number	Not Yet Assigned
Filing Date	December 10, 2001
First Named Inventor	PAWLIKOWSKI et al.
Confirmation Number	Unknown
Group Art Unit	Unknown
Examiner's Name	Unknown
Attorney Docket No.	00-22

"Express Mail" Label No. EL740324114US

TOTAL AMOUNT OF PAYMENT \$ 1,506.00**METHOD OF PAYMENT**1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number
Deposit
Account
Name

50-0558

Respironics, Inc.

☒Charge any additional
fee required under 37
C.F.R. §§ 1.16, 1.17
1.19 and 1.20☐Charge the Issue Fee set
forth in 37 C.F.R. § 1.182. ☒ Payment Enclosed:

Check (Check No. 1033)

FEE CALCULATION (fees effective 10/01/00)**1. FILING FEE**

Large Fee (\$)	Entity Fee (\$)	Small Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) \$ 740.00**2. CLAIMS**

Large Fee (\$)	Entity Fee (\$)	Small Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
Total Claims	51	- 20 *	31 x	18 =	558.00
Ind. Claims	5	- 3 *	2 x	84 =	168.00
Multiple Dependent Claims add 280 =					0.00

* Enter Highest Number Previous Paid For

Large Fee (\$)	Entity Fee (\$)	Small Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim	
109	84	209	42	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$ 726.00**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or declaration	
127	50	227	25	Surcharge - late provisional filing fee or or cover sheet	
145	100	145	100	Certificate of Correction	
147	2,520	147	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,280	241	640	Petition to revive unintentionally abandoned application	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
148	110	248	55	Statutory Disclaimer	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of property)	40.00
146	740	246	370	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
179	740	279	370	Request for Continued Examination	

Other Fee (specify) _____

SUBTOTAL (3) \$ 40.00**SUBMITTED BY**

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	December 10, 2001
		Deposit Account Number	50-0558

Certificate of Mailing by "Express Mail"

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December 10, 2001

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

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Michael W. Haas

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